

BOARD OF SUPERVISORS  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Ordinance

At a regular meeting of the York County Board of Supervisors held in the Board Room, York Hall, Yorktown, Virginia, on the \_\_\_\_ day of \_\_\_\_, 2003:

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Present

Vote

James S. Burgett, Chairman  
Thomas G. Shepperd, Jr., Vice Chairman  
Walter C. Zaremba  
Sheila S. Noll  
Donald E. Wiggins

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On motion of \_\_\_\_\_, which carried \_\_\_\_, the following ordinance was adopted:

AN ORDINANCE TO APPROVE AN APPLICATION TO AMEND THE CONDITIONS OF APPROVAL FOR THE COLONY PINES PLANNED DEVELOPMENT TO BE CONSTRUCTED ON APPROXIMATELY 127.6 ACRES ON THE NORTH SIDE OF DENBIGH BOULEVARD (ROUTE 173)

WHEREAS, on January 7, 1993, the York County Board of Supervisors approved the Colony Pines Planned Development, to be located on approximately 127.6 acres of land located on the north side of Denbigh Boulevard (Route 173) and further identified as Assessor's Parcel Nos. 28-1, 28-2, and 28-4, subject to the conditions contained in Ordinance No. O92-35(R); and

WHEREAS, McCale Development Corporation has submitted Application No. PD-15-03, which seeks to amend those conditions by increasing the maximum permitted lot coverage for single-family detached homes in the development from 25% to 35% and by reducing the minimum distance between any two adjacent homes from 20 feet to 15 feet; and

WHEREAS, said application has been referred to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission recommends denial of this application; and

WHEREAS, the York County Board of Supervisors has conducted a duly advertised public hearing on this application; and

WHEREAS, the Board has carefully considered the public comments and Planning Commission recommendation with respect to this application;

NOW, THEREFORE, BE IT ORDAINED by the York County Board of Supervisors this the \_\_\_\_ day of \_\_\_\_\_, 2003 that Application No. PD-15-03 be, and it hereby is, approved to amend Conditions E4 and E7 of Ordinance No. O92-35(R), and to establish a new Condition E8, to read and provide as follows:

**E. RESIDENTIAL AREA DESIGN PARAMETERS**

4. The minimum distance between any two adjacent single-family units shall be twenty feet (20') except that the side-to-side separation may be reduced to 15 feet provided that one foot (1') of setback offset is provided for each one foot (1') of reduction in building separation less than 20 feet. No single-family unit shall be placed within five (5') of any property line.

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7. The maximum lot coverage for all structures (principal and accessory) on ~~any lot with a single story residential unit shall be twenty five percent (25%). The maximum lot coverage for all structures (principal and accessory) on any lot with other than a single story residence~~ the subject property shall be ~~twenty~~thirty-five percent (~~25%~~35%). Lot coverage as used herein shall be measured at the foundation and shall not include overhangs and eaves.
8. Wherever the minimum side-by-side distance between dwelling units is less than 20 feet, one of the following design features shall be required:
  - a. Each dwelling unit shall be constructed with an approved NFPA 13R Sprinkler System.
  - b. All adjacent facing walls shall be constructed with an approved fire resistive exterior finish or an alternative finish approved by the Department of Fire and Life Safety, said fire resistive construction to include associated projections including but not limited to cornices, eaves, and overhangs. To accommodate design features, a limited percentage (as deemed appropriate by the Fire Chief) of the fire resistive section of the structure shall be permitted to include unprotected openings.

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